

Date: November 4, 2020

Docket: APS Rate Review (E-01345A-19-0003); APS Rate Case (E-01345A-19-0236)

Re: ACC Utilities Division Staff has blatantly violated Arizona Procurement Code

OPEN MEETING AGENDA ITEM

Dear Commissioners:

Apologies for the down to the wire filing, but your Staff has consistently withheld public records requests for many, many months which delayed this filing.

On April 14, 2020, Ms. Champion filed clear documentation of ACC Utilities Division Staff blatantly violating Arizona Procurement Code -- <https://docket.images.azcc.gov/E000005910.pdf>.

Upon recently receiving a more than six month old public records request from the Arizona Corporation Commission only after cc'ing all Commissioners, the Arizona Attorney General, and the Arizona public records Ombudsman, did Ms. Champion receive her request.

This Commission must ACT, or you are all complicit.

From: Howard Lubow
To: James Armstrong
Subject: APS Project
Date: Thursday, February 07, 2019 1:04:04 PM

Hi Jim,

Last week, Ranelle indicated that, subject to processing the contract, Overland was selected to perform the APS project. Since then, I have been unsuccessful in being able to reach her. I would not be too concerned about this, but for the aggressive schedule in which the work must be performed. I had originally hoped to have meetings with staff and APS next week. This now seems less likely, given that I have not heard back regarding availability for these meetings.

Do you have a few minutes to address the above?

Thanks.

Howard

Howard Lubow
Overland Consulting
11551 Ash Street, Suite 215
Leawood, KS 66211
Phone: 913-599-3323 – Direct: 913-387-1777
Cell: 913-226-0480 – Fax: 913-495-9909

From: Yvonne X. Watkins
To: Ranelle Paladino
Subject: RE: APS rate review
Date: Monday, February 25, 2019 3:08:20 PM

Correct

-----Original Message-----

From: Ranelle Paladino
Sent: Monday, February 25, 2019 2:55 PM
To: Yvonne X. Watkins <YXWatkins@azcc.gov>
Subject: RE: APS rate review

Overland and Larkin?

Ranelle S. Paladino
Chief, Telecom and Energy – Utilities Division Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007
(602) 364-0347
rpaladino@azcc.gov
www.azcc.gov

-----Original Message-----

From: Yvonne X. Watkins
Sent: Monday, February 25, 2019 2:54 PM
To: James Armstrong <JArmstrong@azcc.gov>; Ranelle Paladino <RPaladino@azcc.gov>
Subject: RE: APS rate review

So far I have 2. The deadline is 3 pm today.

-----Original Message-----

From: James Armstrong
Sent: Monday, February 25, 2019 2:41 PM
To: Yvonne X. Watkins <YXWatkins@azcc.gov>; Ranelle Paladino <RPaladino@azcc.gov>
Subject: APS rate review

How many proposals did we receive in response to the new RFP? Jim

Sent from my iPhone

From: Ranelle Paladino
To: Rsmithla
Subject: RE: APS Rate Review and Examination of Books - RFP
Date: Thursday, April 18, 2019 10:08:00 AM
Attachments: image001.png

Ralph,

Most definitely we can have a call about the APS rate review. Can we do it after open meeting next week (that's Tuesday and Wednesday)? The only major distinction really came down to the level of detailed activities in one proposal.

On a side note, the Stacey Champion complaint against APS is set for discussion at the OM on Tuesday, April 23rd in the afternoon. I have not heard that we will have questions for you, but don't be shocked if I try to call you in the afternoon on Tuesday.

Ranelle S. Paladino

Chief, Telecom and Energy – Utilities Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007
(602) 364-0347
rpaladino@azcc.gov
www.azcc.gov



ARIZONA CORPORATION COMMISSION
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From: Rsmithla <rsmithla@aol.com>
Sent: Wednesday, April 17, 2019 7:43 AM
To: Ranelle Paladino <RPaladino@azcc.gov>
Cc: dawn.bisdorf@gmail.com
Subject: Fwd: APS Rate Review and Examination of Books - RFP

Hi Ranelle,

A couple of our subcontractors have asked for a debriefing on the bid that was sent in re the APS rate review. Would Staff be able to have a short call or provide a few bullet points.

Thanks.

Ralph
734-522-3420

—Original Message—

From: Benson Hill <Ben.Hill@crittech.com>
To: 'Rsmithla' <rsmithla@aol.com>
Cc: Dinos Nicolaou <Dinos.Nicolaou@crittech.com>; Don Grace <Don.Grace@crittech.com>
Sent: Wed, Apr 17, 2019 9:19 am

Subject: RE: APS Rate Review and Examination of Books - RFP

Ralph,

Good Morning – I was wondering if you had the opportunity to receive a debriefing as to the details of why we were not selected for the below award. We would certainly be able to benefit in future Proposals if we better understood why this particular one was not acceptable to the Arizona Corporation.

Thanks,

Ben Hill
President
Critical Technologies Consulting, LLC (CTC)
2369 Dogwood Trace Blvd.
Lexington, Kentucky 40514
859-533-2367
ben.hill@crittech.com
blh1515@gmail.com
www.crittech.com

Vogle Monitoring Group (VMG)
2369 Dogwood Tracxe Blvd.
Lexington, KY 40514
859-533-2367
ben.hill@crittech.com
blh1515@gmail.com

From: Rsmithla <rsmithla@aol.com>
Sent: Tuesday, March 5, 2019 3:20 PM
To: barbalex@ctel.net; ben.hill@crittech.com; don.grace@crittech.com; parcelld@tai-econ.com
Cc: msdady@gmail.com; dawn.bisdorf@gmail.com; mcranston29@gmail.com;
tmlarkinassociates@gmail.com
Subject: Fwd: APS Rate Review and Examination of Books - RFP

All:

Bad news - looks like we did not get the APS rate review. Not sure what happened.

Thanks for your input for the proposal.

Ralph
734-522-3420

—Original Message—

From: Yvonne X. Watkins <YXWatkins@azcc.gov>
To: Larkin & Assoc (hlarkinjr@aol.com) <hlarkinjr@aol.com>; 'rsmithla@aol.com' <rsmithla@aol.com>;
RSmithLA@gmail.com <RSmithLA@gmail.com>
Sent: Tue, Mar 5, 2019 1:47 pm
Subject: APS Rate Review and Examination of Books - RFP

Good morning Mr. Larkin and Mr. Smith,

Please see attached letter regarding your proposal for the APS Rate Review and Examination of Books RFP. Original letter has been placed in the mail.

Best Regards,

Yvonne Watkins

Administrative Services Officer III (ASO)

Arizona Corporation Commission

Utilities Division

1200 W. Washington Street

Phoenix, Arizona 85007

(602) 364-1304 (office)

yxwatkins@azcc.gov

www.azcc.gov



ARIZONA CORPORATION COMMISSION
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**ARIZONA CORPORATION COMMISSION
STAFF'S SEVENTH SET OF DATA REQUESTS TO
ARIZONA PUBLIC SERVICE COMPANY
DOCKET NO. E-01345A-19-0003
APRIL 24, 2019**

Subject: All information responses should **ONLY** be provided in searchable PDF, DOC or EXCEL files via email or electronic media.

Customer Education and Outreach

STF 7.1 The following questions have to do with the GridX original agreement, change order and contract amendment provided in response to STF 5.12, attachments APSAR00458, 459 and 460:

- a) Have the services to develop a "customer load modifier" noted in change order #1 (APSAR00459) been completed?
- b) Do the load modifier development services noted in question (a) correspond with the \$255,000 payment to GridX in June, 2018 and / or the \$261,000 payment to GridX in August, 2018? (Response to STF 2.62, APSAR00344). Please fully explain, including confirmation of whether or not the change order services are included in amounts expended in conjunction with the \$5 million CEOP authorization).
- c) Has GridX completed the services for customer load modifier development discussed in the change order? Please explain.
- d) It appears the services discussed in the GridX Contract Amendment (APSAR00460) are separate from the load modifier development services discussed in the change order, and that the Amendment contains an "ongoing service delivery element." Concerning the services noted in the Contract Amendment:
 - 1) Confirm that they are separate and apart from the load modifier services described in the change order or explain how they overlap with the services in the change order.
 - 2) Do any of the services in the Contract Amendment correspond with the \$255,000 payment to GridX in June, 2018 and / or the \$261,000 payment to GridX in August, 2018? Please fully explain.
- e) Are any of the "ongoing" services provided by GridX ongoing as of 2019 and beyond, as suggested in the Contract Amendment? If it is not GridX, who is expected to maintain the rate tools developed by GridX? Please fully explain.
- f) Are any of the services provided by GridX, including but not limited to, the "ongoing service delivery" noted on page 6 of the Contract Amendment, being paid for by APS through project work orders that are not part of the \$5 million CEOP expense authorization (i.e., the projects listed in the response to STF 2.62 that directly correspond with the CEOP expenditure authorization)? Please fully explain. (Note: We apologize in advance for any overlap between this request and STF 6.18. This request is more precise and intended to complete our review of CEOP costs).

From: Nick Nocita
To: Candrea Allen
Subject: RE: APS DR
Date: Monday, May 06, 2019 9:06:59 AM

OK, thanks Candrea!

Nick Nocita
Overland Consulting
11551 Ash Street, Suite 215
Leawood, KS 66211
Phone: 913-599-3323 ext. 209
Cell: 913-948-3501
Fax: 913-495-9909

From: Candrea Allen [mailto:CALLen@azcc.gov]
Sent: Monday, May 06, 2019 11:06 AM
To: Nick Nocita <nnocita@overlandconsulting.com>
Subject: RE: APS DR

Thank you for looking them over. We've revised the question to only ask for part B, based on your feed back.

Candrea Allen

From: Nick Nocita <nnocita@overlandconsulting.com>
Sent: Friday, May 03, 2019 3:17 PM
To: Candrea Allen <CALLen@azcc.gov>
Cc: Howard Lubow <hlubow@overlandconsulting.com>; Robert Welchlin <rWelchlin@overlandconsulting.com>; Gregory Oetting <goetting@overlandconsulting.com>
Subject: FW: APS DR

Candrea,

I reviewed your discovery questions and offer the following thoughts.

We have information regarding the customer transition to new rates in the rate design section of the report, including an analysis of residential customers on each rate plan at December 31, 2018 compared to the Company's projections from the 2015 rate case. Because customer migration occurred throughout the year, I believe this a better measure than using the May 1, 2018 date. I've attached the rate migration report they provided to us.

I inquired in the last conference call with APS whether they had any data to show the financial impact (e.g., excess earnings) of customers on sub-optimal rates in 2018 post-conversion, and they said they did not. Therefore, we did not submit a specific data request for this.

To summarize, we are addressing the first proposed discovery question through our analysis, while the second question could be asked if Staff would prefer to have the Company's provide a formal response regarding the availability of the information.

Thanks,

Nick Nocita

Overland Consulting

11551 Ash Street, Suite 215

Leawood, KS 66211

Phone: 913-599-3323 ext. 209

Cell: 913-948-3501

Fax: 913-495-9909

From: Howard Lubow

Sent: Friday, May 03, 2019 3:05 PM

To: Nick Nocita <nnocita@overlandconsulting.com>; Gregory Oetting <goetting@overlandconsulting.com>

Subject: FW: APS DR

Look at this

Howard Lubow

Overland Consulting

11551 Ash Street, Suite 215

Leawood, KS 66211

Phone: 913-599-3323 – Direct: 913-387-1777

Cell: 913-226-0480 – Fax: 913-495-9909

From: Candrea Allen [<mailto:CAllen@azcc.gov>]

Sent: Friday, May 03, 2019 3:02 PM

To: Howard Lubow

Cc: Robert Welchlin

Subject: FW: APS DR

Howard and Bob,

Here are discovery questions that we ended up discussing after our call today. Before we send it out, I just want to make sure they are not duplicative of any questions you've already sent. Thanks!

Candrea Allen

From: Yue 'Nick' Liu

Sent: Friday, May 03, 2019 12:51 PM

ARIZONA CORPORATION COMMISSION STAFF'S
NINTH SET OF DATA REQUESTS
REGARDING THE APS RATE REVIEW AND EXAMINATION
OF BOOKS AND RECORDS
DOCKET NO E-01345A-19-0003
MAY 6, 2019

Staff 9.1: Pursuant to Section XXVI of the Settlement Agreement, which states, "Customers that do not select a different rate will transition to the updated rate plan most like their existing rate on or before May 1, 2018. At least 90 days before transitioning customers who have not selected a rate, APS will provide a report to the ACC indicating the total number of customers who have not made a selection." Based on the above, please provide the following information:

- a. How many residential customers did not choose their own new rate schedules by May 1, 2018, and instead, were migrated to their "most-like" new rate schedules by APS? Among those customers, how many of them had been migrated to the "most economical" rate schedules according to APS's recommendation?

Response: The rate migration report was tracked as of May 18, 2018, so details as of May 1, 2018 are not available.

As of May 18, 2018, 669,831 customers had been migrated to their most-like new rate. Because it had been made clear to each of these customers that this would be the result if they did not affirmatively act, allowing themselves to be migrated to their most like rate was, in fact, their choice.

Of those customers, there were 296,492 or 44%, where the most-like rate they were migrated to was the same as their most economical rate.

Further, an additional 9,335 customers (1.4%) voluntarily moved from their most like rate to their most economical rate prior to May 18, 2018 when this data was collected.

From: Yvonne X. Watkins
To: Kim Battista; Stan Messenger
Cc: Elijah Abinah; James Armstrong
Subject: RE: Open Contracts
Date: Friday, May 17, 2019 9:01:49 AM

Please see update below!

Thanks, Yvonne

From: Yvonne X. Watkins
Sent: Thursday, May 16, 2019 4:22 PM
To: Kim Battista <KBattista@azcc.gov>
Cc: Elijah Abinah <EAbinah@azcc.gov>; James Armstrong <JArmstrong@azcc.gov>
Subject: RE: Open Contracts

Kim,

As of now, we can close the following contracts:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

We will be completing new/amended contracts 7/1/19 for but still need current contract open until then:

- [REDACTED]
- [REDACTED]

The following contract is still active:

- Overland (364) APS Rate Review 19-003

Thanks, Yvonne

From: Kim Battista
Sent: Wednesday, May 15, 2019 7:24 AM
To: Elijah Abinah <EAbinah@azcc.gov>; James Armstrong <JArmstrong@azcc.gov>
Cc: Yvonne X. Watkins <YXWatkins@azcc.gov>
Subject: Open Contracts

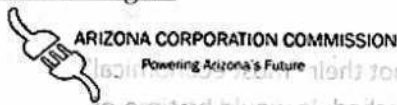
Can you give me a status on all of your open contracts.
Which ones can we close and which ones are still active.

From: Ranelle Paladino
To: Barbara Keene; Yue "Nick" Liu; Robyn Poole; Maureen Scott; James Armstrong; Elijah Abinah
Cc: Candrea Allen; Wesley Van Cleve
Subject: FW: APS DR answers
Date: Monday, May 20, 2019 2:05:23 PM
Attachments: [image001.png](#)
[APS Response to Staff 9-19-0003_051619.pdf](#)

This is the response from Overland regarding the transition of customers.

Ranelle S. Paladino

Chief, Telecom and Energy – Utilities Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007
(602) 364-0347
rpaladino@azcc.gov
www.azcc.gov



From: Nick Nocita <nnocita@overlandconsulting.com>

Sent: Monday, May 20, 2019 1:58 PM

To: Howard Lubow <hlubow@overlandconsulting.com>; Ranelle Paladino <RPaladino@azcc.gov>

Cc: Candrea Allen <CAllen@azcc.gov>

Subject: RE: APS DR answers

Good afternoon, Ranelle.

We did not receive detailed information regarding the transition of customers to "most-like" and "most-economical" plans, except for the high-level data provided in response to Staff DR 9.1 (attached). We've included this information in our report.

Thanks,

Nick Nocita

Overland Consulting
11551 Ash Street, Suite 215
Leawood, KS 66211
Phone: 913-599-1770
Cell: 913-948-3501
Fax: 913-495-9909

From: Ranelle Paladino [<mailto:RPaladino@azcc.gov>]
Sent: Friday, May 17, 2019 4:16 PM
To: Howard Lubow
Cc: Candrea Allen
Subject: APS DR answers

Howard,

We are currently working through a complaint against APS regarding the most recent rate case (18-0002). The item will be on the Open Meeting agenda for Tuesday, May 21st. As we were looking at the amendments that had been filed to the proposed order (I copied the links below for you), we were wondering the actual # of customers that ended up in the "most like" bucket. Specifically, we were hoping you had answers from APS through DRs in the rate review docket to the following questions:

- How many residential customers (#) did not choose their own new rate schedules by May 1, 2018, and instead, were migrated to their "most-like" new rate schedules by APS?
- Among those customers, how many of them had been migrated to the "most economical" rate schedules according to APS's recommendation (meaning the "most economical" was also the "most-like")?
- Among those customers whose "most-like" new rate schedule is not their "most economical" rate schedule, how many of them whose "most economical" rate schedule would be time-of-use rate schedules; and how many of them whose "most economical" rate schedule would be demand rate schedules?

Do you have this information from the questions that you asked APS? If so, can you briefly summarize what you believe are the answers to these questions so we can have them for the Tuesday Open Meeting?

The links to the amendments/proposed order in the complaint case are below.

Proposed Order

<https://docket.images.azcc.gov/0000197189.pdf?i=1558115270537>

Commissioner Burns

<https://docket.images.azcc.gov/0000197845.pdf?i=1558115270537>

<https://docket.images.azcc.gov/0000197846.pdf?i=1558115270537>

<https://docket.images.azcc.gov/0000197847.pdf?i=1558115270537>

<https://docket.images.azcc.gov/0000197848.pdf?i=1558115270537>

Commissioner Olson

<https://docket.images.azcc.gov/0000197985.pdf?i=1558115270537>

Commissioner Dunn

<https://docket.images.azcc.gov/0000198000.pdf?i=1558115270537>

Hearing

<https://docket.images.azcc.gov/0000197448.pdf?i=1558115270537>

Thank you for your assistance with this.

Ranelle S. Paladino

Chief, Telecom and Energy – Utilities Division

Arizona Corporation Commission

1200 W. Washington Street

Phoenix, Arizona 85007

(602) 364-0347

rpaladino@azcc.gov

www.azcc.gov



ARIZONA CORPORATION COMMISSION

Powering Arizona's Future

From: Erin Ford Faulhaber
To: "Boyd Dunn"
Subject: FW: E-01345A-19-0003 - Notice of Filing - Miscellaneous - 05/28/2019
Date: Tuesday, May 28, 2019 4:52:00 PM

Commissioner,

Below is a link to a letter filed by APS today. In it, the Company commits to filing a rate case by December 31st using a June '18—June '19 test year.

Erin

Erin Ford Faulhaber

Policy Advisor to Commissioner Boyd Dunn

Office: 602-542-0837

efordfaulhaber@azcc.gov

From: Do Not Reply <DoNotReply@azcc.gov>
Sent: Tuesday, May 28, 2019 4:50 PM
To: Erin Ford Faulhaber <EFordFaulhaber@azcc.gov>
Subject: E-01345A-19-0003 - Notice of Filing - Miscellaneous - 05/28/2019

This is a courtesy email to inform you of a status change to Docket No. E-01345A-19-0003 that you are following. You are provided the document linked below, which has been filed in the docket:

Notice of Filing - Miscellaneous

NOTICE: This email is sent from an email address that automatically deletes any replies received. Please do not reply to this email. If you encounter a technical issue with the link included herein, please call Docket Control at (602) 542-3477.

From: Maureen Scott
To: Elijah Abinah; James Armstrong; Ranelle Paladino; Robin Mitchell; Robyn Poole
Subject: FW: Rate Review Report Attorney-Client
Date: Monday, June 03, 2019 1:23:15 PM
Attachments: image001.png

fyi

Maureen A. Scott
Deputy Chief – Litigation & Appeals
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007
(602) 542-3402 (office)
mscott@azcc.gov
www.azcc.gov



ARIZONA CORPORATION COMMISSION
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From: Howard Lubow <hlubow@overlandconsulting.com>
Sent: Monday, June 03, 2019 12:28 PM
To: Maureen Scott <mscott@azcc.gov>
Subject: RE: Rate Review Report Attorney-Client

Hi Maureen,

Regarding any concern about work we performed, no work performed by Overland was out of scope. It was all covered by our contract.

Regards,

Howard

From: Maureen Scott <mscott@azcc.gov>
Sent: Monday, June 3, 2019 10:46 AM
To: Howard Lubow <hlubow@overlandconsulting.com>
Subject: Rate Review Report Attorney-Client

Hi Howard, Eli would like you to obtain his approval before doing any additional work on the Report. He is especially concerned with any work you believe to be out of scope or not covered by the current contract. Please call if you have any questions. Thank you.

Maureen A. Scott
Deputy Chief – Litigation & Appeals
Arizona Corporation Commission

From: James Armstrong
To: Candrea Allen; Ranelle Paladino
Cc: James Armstrong; Barbara Keene; Robyn Poole; Maureen Scott
Subject: APS rate review report - additional language
Date: Tuesday, June 04, 2019 7:08:45 AM
Attachments: Armstrong - A full Section 103 Rate Case audit would include.docx
image001.png

Eli asked me to draft this additional language and to share it with you so that you can add this to page 3 and page 44 of the current draft.

On page 3, I believe this discussion would fit well, towards the top, as a separate paragraph, just after the sentence: [REDACTED]

[REDACTED]

I am not sure exactly where on page 44 this would go.

James R. Armstrong

Assistant Director, Utilities Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007
(602) 542-0743 (office)
jarmstrong@azcc.gov
www.azcc.gov



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From:
To:
Cc:
Subject:
Date:
Attachments:

[Redacted]

Bill asked me to draft the additional

to page 3 and

On page 3, I believe

just after the

[Redacted]

I am not

James J

Assistant Dir

Director

1200 W

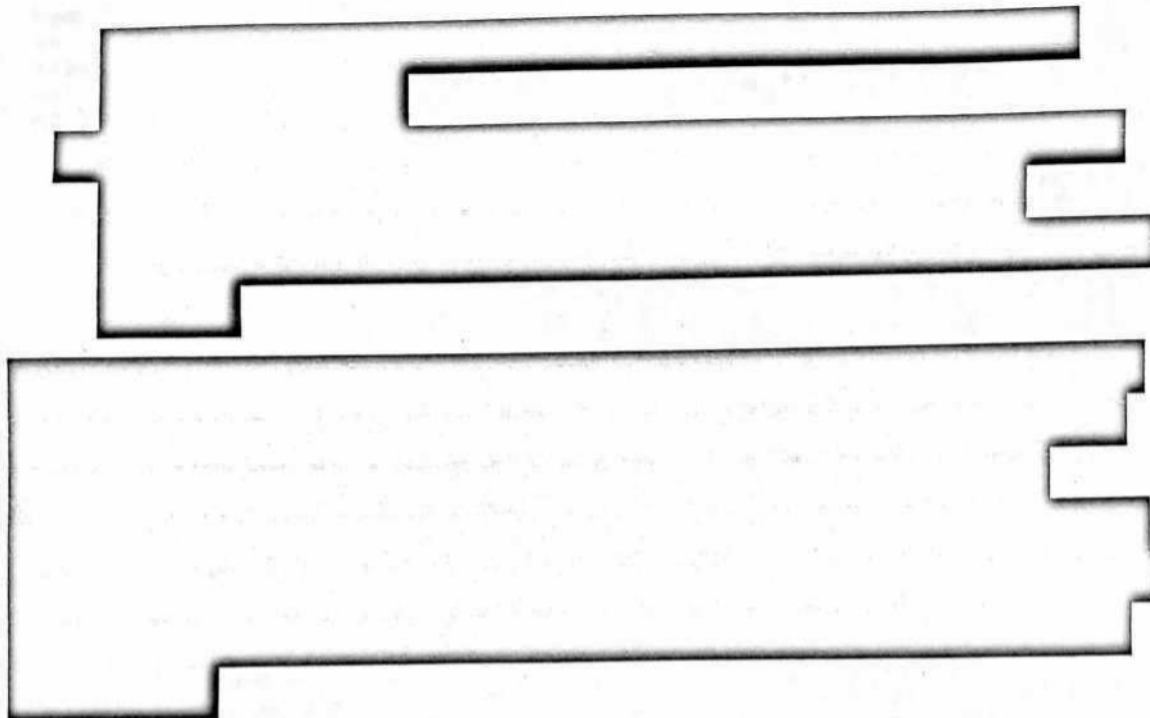
Pho

(408)

San Jose, CA

95050

[Redacted]



On 2/28/02
the following was
received from the
City of Dallas:

On 2/28/02
the following was
received from the
City of Dallas:

On 2/28/02
the following was
received from the
City of Dallas:

On 2/28/02, a copy was received of Staff's Texas General
Revenue Report, which shows that, for the year ending
12/31/01, the City of Dallas has a surplus of \$1,000,000.

On 2/28/02

On 2/28/02

On 2/28/02

On 2/28/02

On 2/28/02

On 2/28/02

On 2/28/02

From: James Armstrong
To: Ranelle Paladino; James Armstrong
Subject: Re: APS Gross Margin DR
Date: Wednesday, June 05, 2019 10:52:01 AM
Attachments: image002.png
image003.png

I would suggest that we ask for the info from January 1 through May 31 2019. That way it will keep the 2018 figure separate Jim

Sent from my iPhone

On Jun 5, 2019, at 8:39 AM, Ranelle Paladino <RPaladino@azcc.gov> wrote:

<image001.gif>

Will this be ok for follow-up with APS on the gross margin update?

Ranelle S. Paladino

Chief, Telecom and Energy – Utilities Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007
(602) 364-0347
rpaladino@azcc.gov
www.azcc.gov
<image002.png>

From: Karyn Christine
Sent: Wednesday, June 05, 2019 8:09 AM
To: Ranelle Paladino <RPaladino@azcc.gov>
Subject: FW: APS Gross Margin DR

Good Morning Ranelle,

Attached, for your review, is Staff's Tenth Set of Data Requests to APS in the rate review docket. Please let me know if it is acceptable to send to the Company.

Thank you.

Karyn L. Christine
Executive Legal Assistant
Legal Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

From: Howard Lubow
To: Ranelle Paladino
Cc: Jenna Self
Subject: RE: Outstanding Invoice
Date: Thursday, June 06, 2019 7:17:52 AM
Attachments: image001.png

Ranelle,

Thanks for the response. I will try to get this information to you today. As you originally requested, we are intending to send a more descriptive version of the work for all invoices. We do not intend to resubmit the invoices themselves, as this material is simply an attachment in support of the invoice. The hours by person are unchanged.

Given that our April invoice has apparently now been held up for some time, I would appreciate it if you could process our payments as soon as practical at this time.

Thanks for sending the final report document, as filed.

Regards,

Howard

*Howard Lubow
Overland Consulting
11551 Ash Street, Suite 215
Leawood, KS 66211
Phone: 913-599-3323 – Direct: 913-387-1777
Cell: 913-226-0480 – Fax: 913-495-9909*

From: Ranelle Paladino [mailto:RPaladino@azcc.gov]
Sent: Wednesday, June 05, 2019 7:54 PM
To: Howard Lubow
Subject: FW: Outstanding Invoice

Howard,

Sorry I was tied up most of Monday and Tuesday. I have attached the invoice that you are referencing in your email to Candrea. It would be helpful if you could provide a little more detail on pages 3-5. I realize that you have indicated for each day the # of hours that have been spent on each topic by each person. What we are wanting is a little more description for the topics worked on each day. For example, when you indicate that you have worked on rate design, can you provide what specifically you may have worked on as part of rate design? Did you spend time on residential, demand rates? Time of use hours? Solar/non-solar? Someone is likely to ask for more detail.

Also, I have copied the link below for the report that Staff docketed today. Thank you for all of the

From: Candrea Allen
To: Valerie Carrico
Cc: Ranella Paladino; Maureen Scott
Subject: 19-0003 CEOP and Rate Review Proposed Order (003).doc
Date: Wednesday, June 12, 2019 3:27:19 PM
Attachments: 19-0003 CEOP and Rate Review Proposed Order (003).doc

Val,

Here is the redlined version of the APS rate review ROO I left on Jim's chair. Let me know if you need anything else. Thanks!

CA

From: James Armstrong
To: Howard Lubow
Subject: RE: TEP Proposal Status
Date: Monday, June 24, 2019 11:57:00 AM

Hi Howard. I am about to leave for a dental appointment. I am not on the team reviewing the proposals but I will check around. The APS matter will be discussed again at the July Open Meeting.

Jim

From: Howard Lubow <hlubow@overlandconsulting.com>
Sent: Monday, June 24, 2019 9:50 AM
To: James Armstrong <JArmstrong@azcc.gov>
Subject: TEP Proposal Status

Jim,

Since it has been a couple of weeks since our submission, I just wanted to check in to see if there is any status update on the consultant selection. The timeline implies a start-up around this time.

Did the open meeting go okay on the APS report?

Thanks.

Howard

Howard Lubow
Overland Consulting
11551 Ash Street, Suite 215
Leawood, KS 66211
Phone: 913-599-3323 – Direct: 913-387-1777
Cell: 913-226-0480 – Fax: 913-495-9909

From: vavro <vavro@silverpointconsulting.com>
Sent: Tuesday, March 03, 2020 12:46 PM
To: Yvonne X. Watkins <YXWatkins@azcc.gov>
Subject: Records request

Ms. Watkins,

I would like to receive additional information on the APS Rate Comparison Tool RFP award:

- Name of the winning bidder
- The dollar value of the contract with the winning bidder
- Regarding the scope of work in the consulting contract -- to the extent there is a difference between the contract and the scope in the RFP, an explanation of the reason for the deviation
- Regarding the project schedule/deliverable dates in the consulting contract -- to the extent there is any difference between the contract and the timeline and milestones in the RFP, an explanation of the reason for deviation.
- If there was any such deviation in scope or schedule, an explanation why the opportunity to file an updated proposal was not afforded to all other bidders.

Thank you
Stephanie Vavro

Stephanie Vavro

Principal, Silverpoint Consulting LLC

Office: 610-530-7711 Cell: 610-533-5595

Stephanie Vavro
Principal, Silverpoint Consulting LLC
Office Phone: 610-530-7711
Email: vavro@silverpointconsulting.com

----- Original Message -----

From: vavro <vavro@silverpointconsulting.com>
To: "Yvonne X. Watkins" <YXWatkins@azcc.gov>
Cc: "sdkenedy@azcc.gov" <sdkenedy@azcc.gov>
Date: May 4, 2020 1:45 PM
Subject: Re: RFP Records request

Ms. Watkins

I still did not receive a response to my FOIA request, detailed below, regarding the contract you signed with Energytools. On that subject, I was extremely dismayed by the information about your procurement process that was filed in Docket E-0134A-19-0003 by Ms. Champion. Had I known you were already negotiating with a firm before you even sent out the RFP, I would not have wasted time responding.

Also, based on the range of scores on my proposal, it was clear some staff did not bother to read it or they would have understood that my lower cost assumption was based on using/modifying Brattle code rather than reinventing a new one, and was not a "lack of understanding" about the project.

Stephanie Vavro

Stephanie Vavro
Principal, Silverpoint Consulting LLC
Office: 610-530-7711 Cell: 610-533-5595

On March 3, 2020 3:03 PM Yvonne X. Watkins <yxwatkins@azcc.gov> wrote:

Ms. Vavro,

This is to confirm receipt of your RFP records request. We will begin our records request process and email you information as soon as possible.

Thank you,

Yvonne Watkins
Administrative Services Officer III (ASO)
Arizona Corporation Commission
Utilities Division
1200 W. Washington St.
Phoenix, AZ 85007
602-364-1304 office
yxwatkins@azcc.gov
www.azcc.gov

COMMISSIONERS
Robert "Bob" Burns - Chairman
Boyd Dunn
Sandra D. Kennedy
Justin Olson
Lea Márquez Peterson



Matthew J. Neubert
Executive Director

Robin Mitchell
Legal Division Director

ARIZONA CORPORATION COMMISSION

May 15, 2020

Ms. Stephanie Vavro
Silverpoint Consulting LLC
vavro@silverpointconsulting.com

VIA Email Only

Re: Response to Public Records Request

Dear Ms. Vavro:

This letter is in response to your public records request to the Arizona Corporation Commission ("Commission") which is attached as Exhibit "A."

You requested the following information regarding the APS Rate Comparison Tool RFP award:

1. Name of the winning bidder
 - a. **Energytools, LLC**
2. The dollar value of the contract with the winning bidder
 - a. **\$219,000.00**
3. Regarding the scope of work in the consulting contract -- to the extent there is a difference between the contract and the scope in the RFP, an explanation of the reason for the deviation
 - a. **This document does not exist, Arizona public records law does not require us to create a record. Arizona Attorney General Opinion No. I85-023.**
4. Regarding the project schedule/deliverable dates in the consulting contract -- to the extent there is any difference between the contract and the timeline and milestones in the RFP, an explanation of the reason for deviation.
 - a. **This document does not exist, Arizona public records law does not require us to create a record. Arizona Attorney General Opinion No. I85-023.**
5. If there was any such deviation in scope or schedule, an explanation why the opportunity to file an updated proposal was not afforded to all other bidders.
 - a. **This document does not exist, Arizona public records law does not require us to create a record. Arizona Attorney General Opinion No. I85-023.**

Division Director Robin Mitchell
1200 W. Washington Street, Phoenix, AZ 85007 | 602-542-3402 | www.azcc.gov

Ms. Stephanie Vavro

May 15, 2020

Page 2

After consideration of your additional requested information, the Commission respectfully declines a proposal debriefing.

We are providing this response without the assertion of any privileges. Please note that any waiver of privileges in this response does not constitute a waiver of any applicable privileges for future productions.

Please call Robin Mitchell or me if you have any questions concerning this letter and its attachments.

Sincerely,

/s/ Maureen A. Scott

Maureen A. Scott
Deputy Chief of Litigation and Appeals
(602) 542-3402

MAS:bc

Enclosures

cc: Robin R. Mitchell, Legal Division Director
Nicole Capone, Public Information Officer

Maureen Scott

Fri, Oct 30, 4:31
PM (5 days ago)

to Stacey, Bob, Sandra, Maren, Robin

Stacey, to confirm, the original communication to Barbara Alexander was included in the responses we sent you in June and August 2019. It is Bates No. ACC000153. I believe it was included in the documents sent in August, 2019.

Maureen A. Scott

Deputy Chief – Litigation & Appeals
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007
(602) 542-3402 (office)
mscott@azcc.gov
www.azcc.gov

From: Maureen Scott

Sent: Thursday, October 29, 2020 6:12 PM

To: 'Stacey Champion' <sc@champion-pr.com>

Cc: Bob Burns <RBurns@azcc.gov>; Sandra D. Kennedy <sdkennedy@azcc.gov>;
Maren Mahoney <MMahoney@azcc.gov>; Robin Mitchell <RMitchell@azcc.gov>

Subject: RE: Question

Stacey, your first question was whether we could verify that you have received all communications tied to all of your public records requests with regard to the RFP's. Also, that they included any/all communications from potential vendors.

Our response is that to the best of our knowledge, you have received all communications tied to all of your public records requests with regard to the RFP's. These should have included any/all communications from potential vendors.

Your second question was when and how that attachment was originally sent to Ms. Alexander. To the best of our knowledge, this was included in our response to your April, 2019 public records request concerning the rate review RFP which we sent in June and August, 2019. We will confirm this tomorrow morning. Thank you.

Maureen A. Scott

Deputy Chief – Litigation & Appeals
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007
(602) 542-3402 (office)
mscott@azcc.gov
www.azcc.gov

From: Maureen Scott

Sent: Thursday, October 29, 2020 10:14 AM

To: 'Stacey Champion' <sc@champion-pr.com>

Cc: Bob Burns <RBurns@azcc.gov>; Sandra D. Kennedy <sdkenedy@azcc.gov>;
Maren Mahoney <MMahoney@azcc.gov>

Subject: RE: Question

Stacey, I will get back to you on all of your questions today. Maureen

Maureen A. Scott

Deputy Chief – Litigation & Appeals
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007
(602) 542-3402 (office)
mscott@azcc.gov
www.azcc.gov

From: Stacey Champion <sc@champion-pr.com>

Sent: Thursday, October 29, 2020 9:35 AM

To: Maureen Scott <mscott@azcc.gov>

Cc: Bob Burns <RBurns@azcc.gov>; Sandra D. Kennedy <sdkenedy@azcc.gov>;
Maren Mahoney <MMahoney@azcc.gov>

Subject: Re: Question

Thank you. Can you verify that I've received ALL communications tied to all of my public records requests with regard to the RFP's? They should have also included any/all communications from potential vendors as well.

And can I get an update on my outstanding requests?

Kindest Regards,

Stacey Champion

Mistress of Publicity

Champion PR + Consulting

Tel: 602.788.0033

sc@champion-

pr.com | www.champion-

pr.com

Twitter: @ChampPR

2828 N. Central Ave.

10th Floor

Phoenix, AZ 85004

On Oct 28, 2020, at 4:32 PM, Maureen Scott <mscott@azcc.gov> wrote:

Stacey, in response to your question yesterday, I was told that pages 2-3 of the public records response was an attachment to page 1 which is an email from Ranelle Paladino to Laurie Woodall. Please contact me if you have any further questions. Thank you. Maureen Scott

Maureen A. Scott

Deputy Chief – Litigation & Appeals

Arizona Corporation Commission

1200 W. Washington Street

Phoenix, Arizona 85007

(602) 542-3402 (office)

mscott@azcc.gov

www.azcc.gov

<image001.png>